

T-1256

PROVIDING FOR THE DISPOSITION OF JUDGMENT FUNDS ON  
DEPOSIT TO THE CREDIT OF THE QUECHAN TRIBE OF THE FORT  
YUMA RESERVATION, CALIF., IN INDIAN CLAIMS COMMISSION  
DOCKET NUMBERED 319, AND FOR OTHER PURPOSES

SEPTEMBER 10, 1968.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

Mr. HALEY, from the Committee on Interior and Insular Affairs,  
submitted the following

REPORT

[To accompany S. 3620]

The Committee on Interior and Insular Affairs, to whom was  
referred the bill (S. 3620) to provide for the disposition of judgment  
funds on deposit to the credit of the Quechan Tribe of the Fort Yuma  
Reservation, Calif., in Indian Claims Commission docket numbered  
319, and for other purposes, having considered the same, report  
favorably thereon without amendment and recommend that the  
bill do pass.

PURPOSE

The purpose of S. 3620, and a companion bill, H.R. 17953, intro-  
duced by Mr. Tunney and Mr. Udall, is to authorize the use of a claims  
judgment against the United States recovered by the Quechan Tribe  
of Indians. The judgment was for \$520,000. The money was ap-  
propriated by the act of October 31, 1965.

NEED

Although the money has been appropriated, the annual appropria-  
tion acts for the Department of the Interior prohibit the use of any  
Indian claims judgment until after legislation has been enacted that  
sets forth the purposes for which the money may be used. The enact-  
ment of this bill is needed to comply with that requirement.

The Quechan Tribe occupies the Fort Yuma Reservation in Cal-  
ifornia. It has about 1,565 members, two-thirds of whom live in the  
reservation area. It is organized under the Indian Reorganization

Act. The tribal council has resisted pressures to make a per capita distribution of the judgment, and proposes to use the money as follows:

Community development.....	\$135,000
Education, primarily scholarship grants.....	100,000
Home construction and improvement.....	100,000
Tribal land purchase.....	75,000
Emergency reserve.....	25,000
Administrative expenses over 18-year period.....	33,000
Total.....	468,000

The council has displayed a progressive and responsible attitude, and experience gained through participation in planning and managing this program should help the Quechans in becoming more adept at managing their own affairs.

Any per capita distribution, if one should be authorized, is exempted from Federal and State income tax. This is a standard provision carried in all bills of this kind.

#### COST

The enactment of the bill will involve no Federal cost.

#### COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends that the bill be enacted.

#### DEPARTMENTAL REPORT

The favorable report of the Department of the Interior, together with background information, is as follows:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., June 4, 1968.

HON. JOHN W. MCCORMACK,  
Speaker of the House of Representatives,  
Washington, D.C.

DEAR MR. SPEAKER: Enclosed is a draft of a proposed bill to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, Calif., in Indian Claims Commission docket No. 319, and for other purposes.

We recommend that the bill be referred to the appropriate committee for consideration and that it be enacted.

The Indian Claims Commission on August 5, 1965, approved a compromise settlement of \$520,000 to the Quechan Tribe in docket No. 319. The award represents compensation for 667,544 acres of land in California, taken on March 3, 1853, and for 881,644 acres of land in Arizona, taken on January 9, 1884, and for which the Indians received no payment. Certain reservation lands were excluded. Funds were appropriated by the act of October 31, 1965 (79 Stat. 1152), to cover the award. Attorneys' fees in the amount of \$52,000 were allowed by the Indian Claims Commission. No attorney expenses have yet been approved.

The Quechan Tribe filed two additional claims with the Indian Claims Commission. One, docket numbered 89, petitioning for a

general accounting and alleging breach of the agreement of December 4, 1893, was dismissed on April 24, 1958. The other, docket numbered 320, petitioning for compensation for reservation lands ceded to the Government under the 1893 agreement, is pending before the Commission.

Under the Indian Claims Commission order of March 3, 1964, the Quechans were determined not to be a party in the claims of "certain Indians of California" dockets numbered 31 and 37, and were therefore barred from participating in the \$29,100,000 compromise settlement.

The historic Quechan Tribe aboriginally used and occupied a tract of land in southeast California and southwest Arizona. The tribe is organized under the provisions of the act of June 18, 1934 (48 Stat. 984). A constitution and bylaws were adopted by the tribe and approved by the Secretary on December 18, 1936. The constitution designates the Quechan Tribal Council as the official governing body.

The proposed legislation provides that the funds on deposit in the U.S. Treasury to the credit of the Quechan Tribe, as the beneficiaries of the award in docket numbered 319, and the interest thereon, less payment of attorneys' fees and expenses, may be advanced, expended, invested, or reinvested for any purpose that is authorized by the Quechan Tribal Council and approved by the Secretary of the Interior.

The tribal council has displayed a progressive and responsible attitude. It withstood pressures for per capita distribution of the judgment fund and insisted that the money be used for reservation and community development. The council appointed a planning committee. The members of the committee with the assistance and guidance of local Bureau of Indian Affairs representatives developed a program for the use of the money. The program proposes to spend the judgment money as follows: \$33,000 for administrative purposes; \$100,000 for education purposes; \$135,000 for community development; \$100,000 for home improvement and construction; \$75,000 for land purchases; and \$25,000 to be held as a reserve for emergencies.

The council and the individual tribal members have not had experience in handling large sums of money. Responsibility, however, has been shown in handling the tribe's small annual income and Office of Economic Opportunity programs. With proper assistance and guidance the council should be able to carry out the proposed program. The experience gained through participation in planning and managing this program will help the Quechans in becoming more adept at managing their own affairs.

There are enclosed a report on the social and economic conditions of the Quechan Tribe of Indians of the Fort Yuma Reservation, Calif., a current financial statement of the judgment funds, and a copy of Tribal Resolution No. R-6-14-66, adopted on June 14, 1966, supporting the proposed program prepared by the Quechan Planning Committee.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.